

10/22/99

JC710 U.S. PTO

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| NEW UTILITY PATENT APPLICATION TRANSMITTAL <i>(only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket Number | 3676 |
| | First Named Inventor | David Banks |
| | Total Pages in this Submission | 46 |
| | Express Mail Label No. | EL050801361US |

PC675 U.S. PTO
09/426567

10/22/99

| APPLICATION ELEMENTS | ACCOMPANYING APPLICATION PARTS | | | | |
|--|--|-----------------------------------|----------------|----------|----------------|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed | 6. <input type="checkbox"/> Assignment & Assignment Recordation Cover Sheet | | | | |
| 2. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none">■ Descriptive Title of the Invention■ Cross Reference(s) to Related Case(s)■ Statement Regarding Fed sponsored R & D■ Background of the Invention■ Brief Summary of the Invention■ Brief Description of the Drawing(s)■ Detailed Description■ Claim or Claims■ Abstract of the Disclosure | 7. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> | | | | |
| 3. <input checked="" type="checkbox"/> Drawing(s) <i>(when necessary per 35 USC 113)</i> | 8. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s) | | | | |
| 4. Oath or Declaration <ul style="list-style-type: none">a. <input checked="" type="checkbox"/> New Declaration <input type="checkbox"/> Executedb. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i><ul style="list-style-type: none">i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | 9. <input type="checkbox"/> Preliminary Amendment | | | | |
| 5. <input type="checkbox"/> Incorporation by Reference <i>(useable if Box 4b is checked). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</i> | 10. Small Entity Statement <input type="checkbox"/> New Statement enclosed <input type="checkbox"/> Statement filed in prior application. Status still proper and desired | | | | |
| 17. If a CONTINUING APPLICATION , check appropriate box and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: ____/ Prior application information: Examiner: _____ Group/Art Unit: _____ | 11. <input checked="" type="checkbox"/> Return Postcard | | | | |
| 12. <input type="checkbox"/> _____ | | | | | |
| 13. <input type="checkbox"/> _____ | | | | | |
| 14. <input type="checkbox"/> _____ | | | | | |
| 15. <input type="checkbox"/> _____ | | | | | |
| 16. <input type="checkbox"/> _____ | | | | | |
| ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231 | | | | | |
| 18. CORRESPONDENCE ADDRESS | | | | | |
| NAME | Renée M. DuBord Fenwick & West LLP | | | | |
| ADDRESS | Two Palo Alto Square | | | | |
| CITY | Palo Alto | STATE | CA | ZIP CODE | 94306 |
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| Name (Print/Type) | Renée M. DuBord | Registration No. (Attorney/Agent) | 42,500 | | |
| Signature | <i>Renée DuBord</i> | Date | 10/22/99 | | |

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Rev. 10/22/99

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| 0002/PTO(modified) Rev. 10/95 | U.S. Department of Commerce Patent and Trademark Office | Complete if Known | |
| FEE TRANSMITTAL TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$994.00) | | Application Number | not yet known |
| | | Filing Date | October 22, 1999 |
| | | First Named Inventor | David Banks |
| | | Group Art Unit | not yet known |
| | | Examiner Name | not yet known |
| | | Attorney Docket Number | 3676 |

| METHOD OF PAYMENT 1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†] <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account. Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check for \$614 <input type="checkbox"/> Other | FEE CALCULATION (continued) 3. ADDITIONAL FEES <table style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Large Entity Fee Code/Fee</th> <th style="text-align: left;">Small Entity Fee Code/Fee</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Due</th> </tr> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td><input type="text"/></td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td><input type="text"/></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td><input type="text"/></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month[†]</td><td><input type="text"/></td></tr> <tr><td>116/\$380</td><td>216/\$190</td><td>Extension for response within second month[†]</td><td><input type="text"/></td></tr> <tr><td>117/\$870</td><td>217/\$435</td><td>Extension for response within third month[†]</td><td><input type="text"/></td></tr> <tr><td>118/\$1,360</td><td>218/\$680</td><td>Extension for response within fourth month[†]</td><td><input type="text"/></td></tr> <tr><td>128/\$1,850</td><td>228/\$925</td><td>Extension for response within fifth month[†]</td><td><input type="text"/></td></tr> <tr><td>119/\$300</td><td>219/\$150</td><td>Notice of Appeal</td><td><input type="text"/></td></tr> <tr><td>141/\$1,210</td><td>241/\$605</td><td>Petition to revive unintentionally abandoned application</td><td><input type="text"/></td></tr> <tr><td>142/\$1,210</td><td>242/\$605</td><td>Utility Issue Fee (Or Reissue)</td><td><input type="text"/></td></tr> <tr><td>143/\$430</td><td>243/\$215</td><td>Design Issue Fee</td><td><input type="text"/></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td><input type="text"/></td></tr> <tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td><input type="text"/></td></tr> <tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td><input type="text"/></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td><input type="text"/></td></tr> <tr><td>146/\$760</td><td>246/\$380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td><input type="text"/></td></tr> <tr><td>149/\$760</td><td>249/\$380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td><input type="text"/></td></tr> <tr><td colspan="3">Other fee (specify):</td><td><input type="text"/></td></tr> <tr><td colspan="3">Other fee (specify):</td><td><input type="text"/></td></tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (3)</td> <td>(\$0)</td> </tr> </table> | Large Entity Fee Code/Fee | Small Entity Fee Code/Fee | Fee Description | Fee Due | 105/\$130 | 205/\$65 | Surcharge - late filing fee or oath | <input type="text"/> | 127/\$50 | 227/\$25 | Surcharge-late provisional filing fee or cover sheet | <input type="text"/> | 147/\$2,520 | 147/\$2,520 | For filing a request for reexamination | <input type="text"/> | 115/\$110 | 215/\$55 | Extension for response within first month [†] | <input type="text"/> | 116/\$380 | 216/\$190 | Extension for response within second month [†] | <input type="text"/> | 117/\$870 | 217/\$435 | Extension for response within third month [†] | <input type="text"/> | 118/\$1,360 | 218/\$680 | Extension for response within fourth month [†] | <input type="text"/> | 128/\$1,850 | 228/\$925 | Extension for response within fifth month [†] | <input type="text"/> | 119/\$300 | 219/\$150 | Notice of Appeal | <input type="text"/> | 141/\$1,210 | 241/\$605 | Petition to revive unintentionally abandoned application | <input type="text"/> | 142/\$1,210 | 242/\$605 | Utility Issue Fee (Or Reissue) | <input type="text"/> | 143/\$430 | 243/\$215 | Design Issue Fee | <input type="text"/> | 122/\$130 | 122/\$130 | Petitions to the Commissioner | <input type="text"/> | 123/\$50 | 123/\$50 | Petitions related to provisional applications | <input type="text"/> | 126/\$240 | 126/\$240 | Submission of Information Disclosure Statement | <input type="text"/> | 581/\$40 | 581/\$40 | Recording each patent assignment per property (times number of properties) | <input type="text"/> | 146/\$760 | 246/\$380 | Filing a submission after final rejection (37 CFR 1.129(a)) | <input type="text"/> | 149/\$760 | 249/\$380 | For each additional invention to be examined (37 CFR 1.129(b)) | <input type="text"/> | Other fee (specify): | | | <input type="text"/> | Other fee (specify): | | | <input type="text"/> | SUBTOTAL (3) | | | (\$0) |
|--|---|--|------------------------------|-----------------|---------|-----------|----------|-------------------------------------|----------------------|----------|----------|--|----------------------|-------------|-------------|--|----------------------|-----------|----------|--|----------------------|-----------|-----------|---|----------------------|-----------|-----------|--|----------------------|-------------|-----------|---|----------------------|-------------|-----------|--|----------------------|-----------|-----------|------------------|----------------------|-------------|-----------|--|----------------------|-------------|-----------|--------------------------------|----------------------|-----------|-----------|------------------|----------------------|-----------|-----------|-------------------------------|----------------------|----------|----------|---|----------------------|-----------|-----------|--|----------------------|----------|----------|--|----------------------|-----------|-----------|---|----------------------|-----------|-----------|--|----------------------|----------------------|--|--|----------------------|----------------------|--|--|----------------------|---------------------|--|--|--------------|
| Large Entity Fee Code/Fee | Small Entity Fee Code/Fee | Fee Description | Fee Due | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 105/\$130 | 205/\$65 | Surcharge - late filing fee or oath | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 127/\$50 | 227/\$25 | Surcharge-late provisional filing fee or cover sheet | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 147/\$2,520 | 147/\$2,520 | For filing a request for reexamination | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 115/\$110 | 215/\$55 | Extension for response within first month [†] | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 116/\$380 | 216/\$190 | Extension for response within second month [†] | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 117/\$870 | 217/\$435 | Extension for response within third month [†] | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 118/\$1,360 | 218/\$680 | Extension for response within fourth month [†] | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 128/\$1,850 | 228/\$925 | Extension for response within fifth month [†] | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 119/\$300 | 219/\$150 | Notice of Appeal | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 141/\$1,210 | 241/\$605 | Petition to revive unintentionally abandoned application | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 142/\$1,210 | 242/\$605 | Utility Issue Fee (Or Reissue) | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 143/\$430 | 243/\$215 | Design Issue Fee | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 122/\$130 | 122/\$130 | Petitions to the Commissioner | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 123/\$50 | 123/\$50 | Petitions related to provisional applications | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 126/\$240 | 126/\$240 | Submission of Information Disclosure Statement | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 581/\$40 | 581/\$40 | Recording each patent assignment per property (times number of properties) | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 146/\$760 | 246/\$380 | Filing a submission after final rejection (37 CFR 1.129(a)) | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 149/\$760 | 249/\$380 | For each additional invention to be examined (37 CFR 1.129(b)) | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (specify): | | | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (specify): | | | <input type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (3) | | | (\$0) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| FEE CALCULATION (fees effective 11/12/98) | | | |
|--|------------------------------|---|----------------------------------|
| 1. FILING FEE | | | |
| Large Entity Fee Code/Fee | Small Entity Fee Code/Fee | Fee Description | Fee Due |
| 101/\$760 | 201/\$380 | Utility Filing | <input type="text" value="760"/> |
| 106/\$310 | 206/\$155 | Design Filing | <input type="text"/> |
| 108/\$760 | 208/\$380 | Reissue Filing | <input type="text"/> |
| 114/\$150 | 214/\$75 | Provisional Filing | <input type="text"/> |
| SUBTOTAL (1) | | | (\$760) |
| 2. CLAIMS | | | |
| Large Entity Fee Code/Fee | Small Entity Fee Code/Fee | Fee Description | |
| 103/\$18 | 203/\$9 | Claims in excess of 20 | |
| 102/\$78 | 202/\$39 | Independent claims in excess of 3 | |
| 104/\$260 | 204/\$130 | Multiple dependent claim | |
| 109/\$78 | 209/\$39 | Reissue independent claims over original patent | |
| 110/\$18 | 210/\$9 | Reissue claims in excess of 20 and over original patent | |

| | | | | | | | | |
|---|------------------------|---------------------------------|---------|----------|---------|--|--|--|
| (Col. 1) | | (Col. 2) | | (Col. 3) | | | | |
| For | No. of Existing Claims | Highest No. Previously Paid For | Extra** | Fee | Fee Due | | | |
| TOTAL | 46 | minus* 20 or | = 26 | x 9 | = 234 | | | |
| INDEP | 3 | minus* 3 or | = 0 | x 39 | = 0 | | | |
| <input type="checkbox"/> First presentation of multiple dependent claim | | | | | | | | |

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| * Subtract the greater number of Col. 2 ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3 | SUBTOTAL (2) (\$234) |
|---|------------------------------------|

| | | | |
|-----------------------|---------------------|---------------------------------|----------|
| SUBMITTED BY | | Complete (if applicable) | |
| Typed or Printed Name | Renée M. DuBord | Reg. Number | 42,500 |
| Signature | <i>Renée DuBord</i> | Date | 10/22/99 |

[†] Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby
19923-03676/948890
Rev. 10/22/99